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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES PARKIN,

Defendant.

Case No. 2:15-cr-00212-JCM-NJK

STIPULATION TO CONTINUE
COMPETENCY HEARING
(*Sixth Request*)

It is hereby stipulated and agreed, by and between Nicholas Trutanich, United States Attorney, and Jamie Mickelson, Assistant United States Attorney, counsel for the United States of America, and Russ Marsh, Esq. counsel for defendant, that the competency hearing currently scheduled for December 19, 2019 at 10:00 a.m., be vacated and continued until a time convenient to the Court but no sooner than thirty (30) days.

This Stipulation is entered into for the following reasons:

1. The defendant filed a motion for a competency hearing on January 17, 2019, ECF. No. 60, and the Court set a hearing date for January 28, 2019. (ECF No. 62.) The report in support of defendant's motion was provided to counsel for the government on November 6, 2018. The government has selected an expert, Dr. Collins, who evaluated the defendant on August 12, 2019.

1 2. Dr. Collins provided her report to the Government on September 16, 2019. The
2 report was provided to defense counsel the same day.

3 3. Because defendant's expert initially evaluated the defendant in March of 2018,
4 defense counsel requested additional time in order to allow his expert to reevaluate the
5 defendant in light of Dr. Collins' findings. The defendant was scheduled to be interviewed in
6 November, but, due to health problems, was unable to complete the evaluation. The
7 defendant's expert has indicated that he can evaluate the defendant in early January, and the
8 report can be finalized by mid-January.

9 4. Additionally, the government's expert will be out of town on the date currently
10 scheduled for the hearing, December 19.

11 5. Counsel for the government and counsel for the defendant have conferred with
12 their respective experts, and both are available on the following dates: January 29, 30, and
13 February 4, 11 or 12. If there is a date convenient to the Court, the parties respectfully request
14 that the hearing be continued until one of the dates set forth above.

15 6. The defendant agrees to this request.

16 7. Subsequent to this stipulation, the parties plan to file a stipulation to continue
17 calendar call and trial which are currently set for February 5, 2020 and February 10, 2020,
18 respectively. (ECF 82.)

19 8. The additional time requested herein is not sought for the purposes of delay,
20 but to allow government and defense counsel sufficient time to prepare for the competency
21 hearing.

22 9. This is the sixth request for a continuance.

1 DATED this 22nd day of November.

2
3 /s/ Jamie Mickelson
JAMIE MICKELSON
4 Assistant United States Attorney

/s/ Russell E. Marsh
RUSSELL MARSH, Esq.
Counsel for Charles Parkin

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 CHARLES PARKIN,

7 Defendant.

Case No. 2:15-cr-00212-JCM-NJK

ORDER

8
9 The ends of justice served by granting said continuance outweigh the best interest of
10 the public and the defendant in a Speedy Trial, since the failure to grant said continuance
11 would be likely to result in a miscarriage of justice, and would deny the parties herein
12 sufficient time and the opportunity within which to be able to effectively and thoroughly
13 prepare for the competency hearing, taking into account the exercise of due diligence.

14 IT IS THEREFORE ORDERED that the competency hearing in the above-captioned
15 matter currently scheduled for December 19, 2019 at 10:00 a.m., be vacated and continued to
16 January 30, 2020, at 10:00 a.m.

17
18 DATED: November 22, 2019.

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21 _____
22 HONORABLE NANCY J. KOPPE
23 UNITED STATES MAGISTRATE JUDGE
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